

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

DATE FILED 9/9/96

**In Re: PETITION OF
MACCAFERRI GABIONS, INC.**

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Civ. No. MJG95-1270

STIPULATION

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

- (1) Maccaferri will file motions for voluntary dismissal of its Appeal Nos. 96-1294 and 96-1513, currently pending in the United States Court of Appeals for the Fourth Circuit, each party to bear its own attorneys fees and costs;
- (2) the parties consent that the Court may file and enter a Final Order in the form attached to this Stipulation, without further notice to any party or other proceedings;
- (3) in the event the proposed Final Order is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever, and the making of this Stipulation shall be without prejudice to either party in this or any other proceeding;
- (4) the parties' execution of this Stipulation and the entry of the proposed Final Order settles, discharges, and releases any and all claims by either party arising from the Civil Investigative Demand and Freedom of Information Act litigation; and

(5) this Final Order shall not be evidence against or an admission by any party with respect to any issue of fact or law herein.

/S/
Larry Klayman
Counsel
Maccaferri Gabions, Inc.

/S/
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September 6, 1996